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OPH.004A

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andreas W. Dreher)
)
 App. No. : 10/044,304)
)
 Filed : October 25, 2001)
)
 For : EYEGLOSS MANUFACTURING)
 METHOD USING VARIABLE)
 INDEX LAYER)
)
 Examiner : Unknown)

COPY OF PAPERS
ORIGINALLY FILED

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

United States Patent and Trademark Office
 P.O. Box 2327
 Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and

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revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor and his attorney in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

OPHTHONIX, INC.

Dated: _____

5/20/2002

By: _____

Andreas W. Dreher, Ph.D.

Title: President & CEO

Address: 10455 Pacific Center Court
San Diego, CA 92121

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Application No.: 10/044,304
Filing Date: October 25, 2001

DO NOT RECORD

PATENT
Client Code: OPH.004A
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ASSIGNMENT

WHEREAS, I, Andreas W. Dreher, a German citizen, residing at 3105 Paseo Cristal, Escondido, California 92029, have invented certain new and useful improvements in a EYEGLOSS MANUFACTURING METHOD USING VARIABLE INDEX LAYER for which I have filed an application for Letters Patent in the United States, Application No. 10/044,304, Filing Date October 25, 2001;

AND WHEREAS, OPHTHONIX, INC. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 10455 Pacific Center Court, San Diego, California 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20 day of May, 2002


Andreas W. Dreher

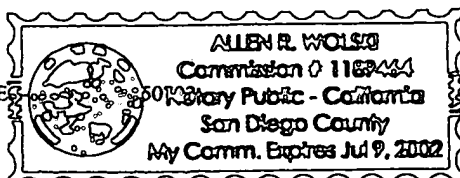
STATE OF California }
COUNTY OF San Diego } ss.

On May 20, 2002, before me, Allen R. Wolski, personally appeared Andreas W. Dreher, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

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Notary Signature

DO NOT RECORD